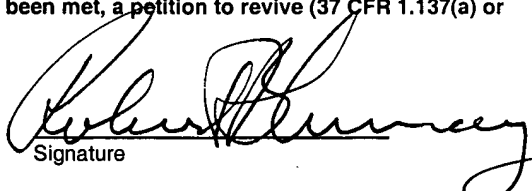


FORM PTO-1390		U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 3165-147
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>			U.S. Application No. (if known) 10/583,364
INTERNATIONAL APPLICATION NO. PCT/EP2004/014424	INTERNATIONAL FILING DATE December 17, 2004	PRIORITY DATE CLAIMED December 19, 2003	
TITLE OF INVENTION METHOD FOR CONTROLLING CONIFEROUS PLANTS			
APPLICANT(S) FOR DO/EO/US Joseph ZAWIERUCHA, Glenn W. OLIVER, Harold E. QUICKE			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<ol style="list-style-type: none"> <li>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371</li> <li>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>			
ITEMS 11. TO 20. below concern other document(s) or information included:			
<ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input type="checkbox"/> A preliminary amendment.</li> <li>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> </ol>			

<b>U.S. APPLICATION NO. (If known)</b> 10/583,364	<b>INTERNATIONAL APPLICATION NO.</b> PCT/EP2004/014424	<b>ATTORNEY DOCKET NO.</b> 3165-147
20. <input type="checkbox"/> Other items or information: <input type="checkbox"/> RO/101 <input type="checkbox"/> RO/105 <input checked="" type="checkbox"/> ISA/210(ISR) <input checked="" type="checkbox"/> IB/301 <input checked="" type="checkbox"/> IB/304 <input checked="" type="checkbox"/> IB/308 <input type="checkbox"/> IB 401 <input checked="" type="checkbox"/> IB/409(IPER) <input checked="" type="checkbox"/> IB/416 <input checked="" type="checkbox"/> Published Application WO 2005/058041 A2 (cover sheet)		
21. The following fees are submitted:  <input type="checkbox"/> Basic National Fee ..... \$300.00	<u>CALCULATIONS</u>  \$	<u>PTO USE ONLY</u>
22. <input type="checkbox"/> Examination Fee  If the written opinion prepared by ISA/US or the IPER prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$0 All other situations ..... \$200.00	\$	
23. <input type="checkbox"/> Search Fee  If the written opinion of the ISA/US or the IPER prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Search Authority ..... \$100.00 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB ..... \$400.00 All other situations ..... \$500.00	\$	
TOTAL OF 21, 22 AND 23 =		\$
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.		\$
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof
- 100 =	/ 50 =	x 250
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).		\$
Claims	Number Filed	Number Extra
Total Claims	35 -20 =	15
Independent Claims	3 - 3 =	
Multiple dependent claim(s) (if applicable)		+ \$360.00
TOTAL OF ABOVE CALCULATIONS =		\$
<input type="checkbox"/> Applicant claims small entity status. The fees indicated above are reduced by 1/2.		\$
SUBTOTAL =		\$
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		+
TOTAL NATIONAL FEE =		\$
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property		+
TOTAL FEES ENCLOSED =		\$
		Amount to be refunded
		Amount to be charged

U.S. APPLICATION NO. (If known) 10/583,364	INTERNATIONAL APPLICATION NO. PCT/EP2004/014424	ATTORNEY DOCKET NO. 3165-147
<p>a. <input type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. 02-2135 in the amount of \$to cover the above filing fees.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-2135.</p> <p><b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b></p> <p>SEND ALL CORRESPONDENCE TO:</p> <p><b>Customer No. 06449</b></p> <p>Rothwell, Figg, Ernst &amp; Manbeck 1425 K St., N.W. Washington, D.C. 20005 Phone: 202/783-6040</p> <div style="text-align: right;"> Signature <u>Robert B. Murray</u> Name <u>22,980</u> Registration Number</div>		